

State Water Resources Control Board

March 22, 2017

(Via email and Certified Mail)

CERTIFIED MAIL
NO. 7015 1520 0001 8017 2228

Mr. Gopal Nair
Environmental Specialist
Alameda County Water District
43885 South Grimmer Boulevard
Fremont, California 94538
gopal.nair@acwd.com

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT ALAMEDA COUNTY WATER DISTRICT TREATMENT PLANT #2,
42436 MISSION BOULEVARD, FREMONT**

Dear Mr. Nair:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on March 9, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Operating Permit On-Site – The operating permit for the emergency generator tank was not available at the time of inspection.	Emergency Generator	March 9, 2017	Ongoing	23 CCR 2712(i)
2	Failure to Maintain Financial Responsibility – The Chief Financial Officer letter in CERS expired on December 4, 2015, and is required to be renewed annually.	Emergency Generator	December 5, 2015	Ongoing	H&SC 25292.2
3	Failure to Perform Designated Officer (DO) Inspection – The monthly DO inspection for December 2016 was not available at the time of inspection.	Emergency Generator	December 1, 2016	December 31, 2016	23 CCR 2715(c)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Maintain Spill Containment Requirements – The diesel spill containment had approximately 3 inches of liquid, which prevents its ability to hold five gallons.	Emergency Generator	March 9, 2017	Ongoing	23 CCR 2635(b)(1)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Fremont City Fire Department of within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Joseph Lovesee
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
joseph.lovesee@waterboards.ca.gov

Local CUPA

Mr. Jay Swardenski
Fire Marshal
Fremont City Fire Department
300 Capitol Avenue, Building A
Fremont, California 94538
jswardenski@fremont.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Mr. Jay Swardenski
Fire Marshal
Fremont City Fire Department
jswardenski@fremont.gov

Ms. Janie O'Connor
Hazardous Materials Technician
Fremont City Fire Department
joconnor@fremont.gov